

NEWS RELEASE



***OFFICE OF THE UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF CALIFORNIA
San Diego, California***

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For Immediate Release

NEWS RELEASE SUMMARY - September 9, 2004

United States Attorney Carol C. Lam announced today that a federal grand jury sitting in San Diego handed up an indictment charging Joel Valencia of Perris, California, with illegally smuggling more than 125 exotic and migratory birds into the United States. According to court documents, Valencia was stopped at the San Ysidro Port of Entry on August 28, 2004, at approximately 3:00 a.m. driving a pickup truck, with his wife and children as passengers. After Valencia declared that he was only bringing clothes and tamales into the United States, Customs and Border Protection Officers conducted an inspection of the truck. During the inspection, 126 lilac crowned amazon parrots, conures, mockingbirds, and cardinals were located in boxes stored in the truck.

According to Assistant U.S. Attorney Anne Perry, who is prosecuting the case, Valencia is charged with Smuggling Merchandise and violating the Lacey Act, a federal law regulating the international commerce of wildlife. His next court appearance will be on September 14, 2004, before Magistrate Judge Ruben B. Brooks.

DEFENDANT

Joel Valencia

SUMMARY OF CHARGES

Smuggling Merchandise, in violation of Title 18, United States Code, Section 545
Lacey Act, in violation of Title 16, United States Code, Section 3372

Penalties (as to each offense) 5 years' incarceration, \$250,000 fine, \$100 penalty assessment

AGENCY

U.S. Fish and Wildlife Service

An indictment is not evidence that the defendant committed the crimes charged. The defendant is presumed innocent until the Government meets its burden in court of proving guilt beyond a reasonable doubt.